

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Respondent,

2:04-cr-00280 FCD KJN P

vs.

MARCO ANTONIO VARGAS,

ORDER

Movant.

On April 2, 2010, this court directed respondent to show cause why it had failed to respond to movant's petition made pursuant to 28 U.S.C. § 2255, and to file such response.

Respondent's counsel has filed a reply, explaining that the failure to file a timely response was due to inadvertence and the demands of an extremely heavy caseload. Further, because the records in this case are currently archived and transcription of at least one hearing is required, respondent's counsel now requests an extension of time until June 9, 2010 to file the government's response.

For good cause shown, IT IS HEREBY ORDERED that:

1. The order to show cause filed April 2, 2010 (Dkt. No. 74) is discharged;

2. Respondent's request for an extension of time (Dkt. No. 75) is granted; the

response shall be filed on or before June 9, 2010, and shall include all transcripts and other

documents relevant to the determination of the issues presented in the petition; and

3. Movant's reply, if any, shall remain due thirty days after the response is filed.

SO ORDERED.

DATED: April 28, 2010

Kendall J. Newman
KENDALL J. NEWMAN
UNITED STATES MAGISTRATE JUDGE

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